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October 27, 2021

**VIA ECF**

Hon. Pamela K. Chen  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Duncan v. Gabriel Bros, Inc.*, 1:21-cv-05368-PKC-MMH

Dear Judge Chen:

On behalf of Defendant Gabriel Bros, Inc. ("Gabriel Bros"), I write to respectfully request a twenty-one (21) day extension of time to respond to the Complaint filed by Plaintiff.

Gabriel Bros just engaged the undersigned counsel today to represent it in this matter. We submit this request to allow counsel to familiarize itself with this matter, investigate the factual and legal background, and determine whether an early resolution is possible.

The due date for Gabriel Bros' response was October 26, 2021. This request was not filed sooner due to a delay in Gabriel Bros learning of this matter and engaging counsel. Gabriel Bros has not previously requested any extensions of time or adjournments in this matter. Counsel for Gabriel Bros has sought consent to this request from all of counsel for Plaintiff but has not yet received a response and is filing this now in the interest of proceeding as soon as possible after being retained. No other deadlines have yet been set in this matter, so the requested extension of time will not affect any other dates in this matter nor will it unfairly prejudice any party.

For all of the reasons set forth herein, Gabriel Bros respectfully requests that the Court grant a twenty-one day extension of time so that the deadline for Gabriel Bros' response to Plaintiff's Complaint is extended to November 16, 2021.

Respectfully submitted,

/s/ Christopher W. Pendleton

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*Attorney for Defendant Gabriel Bros, Inc.*

cc: Counsel of Record (via ECF)